

Erie County Ethics Board

February Meeting Minutes

February 5, 2018 8 a.m. 16th Floor Rath Building

MEMBERS:

___ Chris Trapp, Vice-Chair
___ Rebecca Town, Secretary
___ Miles Gresham,
___ Leslie Ortiz-Fogg, Ex-Officio

STAFF:

___ Vianne Uthman, Administrative Staff

EXCUSED:

___ Steven Schwartz, Chair (by phone)
___ Warren Galloway

OTHERS PRESENT:

___ Ross Kostecky, Legislature Office (recording)

1. Meeting called to order at 8:15 a.m. by Vice-Chair, Trapp.
2. January 2018 meeting minutes reviewed and approved, motion by Gresham seconded by Town.
3. Website Updates / Email Updates (Uthman /Town /Schwartz):
 - i. Request for opinions/actions:
 - i. DPW-The Board has received a request for guidance regarding a potential conflict involving an individual who is on proposal review committee and is friends with one of the three people whose businesses are under consideration. At the very least this presents an appearance of a conflict which should be avoided by the individual removing themselves from the selection committee. Ortiz-Fogg will communicate this by letter.
 - ii. DPW- The department will send invitations to existing vendors provide vehicles/equipment for DPW program for public use, on display in the park and asked the Board to review for potential conflicts. The Board did not see that this presents a conflict. Ortiz-Fogg has asked the department to send us a copy of the request once it is available.
 - iii. DPW-has sent a request to accept funds to attend Parks and Rec Conference. No conflicts apparent as the sponsoring organization, and not the vendors, is paying for the employee to attend.
 - ii. No new FOIL Requests received this month.
 - iii. Other communications:
4. Old Business:
 - i. Galloway and Town terms end in 2018 however this may have been recorded wrong because there is usually a one year gap between appointments. There are no new updates. Ortiz-Fogg will followup.
 - ii. Personnel Department received five locked file boxes with key access for storage of Financial Disclosures.
 - iii. Update on options for digitizing and storing documents electronically. Currently there is no written policy for storing documents electronically. Electronic signatures are valid so it would be possible to have the disclosure forms online moving forward. Ideally this is

the direction the Board would move in to help streamline the process. Board members will put together a list of potential technology concerns and needs for the next meeting.

- iv. In the matter of Morton vs. County of Erie, et al. there is one remaining cause of action by stipulation.
 - v. Review of our Rules and Regulations brought concerns of being consistent with gifts of an equivalent value to charity. Our practice should be to inform legislators in advance that tickets to events, such as at the convention center, should not be accepted. When we learn of gifts after the fact we encourage officials to contribute equivalent amounts to charity. The local law revision has proposed changing procedures to allow all legislators to go to a general event as long as a significant number of members are attending. This raises concerns for the board as it is inconsistent with our previous positions. Members should give comments to Trapp prior to the March meeting.
 - vi. Members reviewed of 2016 Financial Disclosure forms and recommend changes for 2017. We need to submit changes quickly as the legislative proposal embeds an outdated disclosure form. The Board will ask the legislature to remove this to maintain the form we already use. The Board is further concerned that the legislature includes the disclosure in the law because it results in an inability to make changes without new legislation. Recommendations made to change the current form by board members are primarily to reduce errors and make it easier to review information and cut down on required follow up. Example of changes: add lines at the end for additional information and make the date and signature lines clearer. The only substantive recommended change was under debts to clarify the date and allow reporting at the end of the year for those debts existing on Dec. 31.
5. New Business (Schwartz):
- i. Schwartz will prepare the 2017 annual report for the March meeting.
6. A Public Hearing regarding new local law proposals for Ethics Code and the Board of Ethics will be held on Wednesday February 7th, 2018 at 6:00 p.m. The meeting will be held in the Chambers of Old County Legislature, 4th Floor 92 Franklin St. Trapp will attend and provide comments. Some concerns addressed by the board include a proposal to move up the date disclosures will be due. The Board is opposed to the proposed increase of ex officio members due to concerns over politicization.
7. Next meeting scheduled for Monday March 5, 2018 at 8 a.m..
8. Motion to adjourn at 9:05